



ROSSMAN LAW GROUP, PLLC

350 N. 9th Street, Suite 500
Boise, ID 83702

Telephone (208) 331-2030
Facsimile (208) 947-2424

Eric S. Rossman
erossman@rossmanlaw.com

Erica S. Phillips
ephillips@rossmanlaw.com

Lisa Reinke, Paralegal
lreinke@rossmanlaw.com

Jason Carroll, Paralegal
jcarroll@rossmanlaw.com

February 28, 2018

United States Environmental Protection Agency
Attention: Records Custodian
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: Client: (b) (6)
Date of Incident: June-July 2016
Adverse Party: Idaho Waste Systems, Inc.
Location: 16415 NW Waste Site Drive, Mayfield, Idaho
Case No.: Unknown

Dear Records Custodian:

Our firm has been retained to represent the interests of (b) (6) pertaining to a personal injury claim relating to chemical and hazardous materials exposure incidents that took place at his employment with Idaho Waste Systems, Inc.

Pursuant to the Idaho Public Records Act and the Freedom of Information Act, I would appreciate you providing me with copies of all citations, any investigation reports, findings, notes, and/or memorandums, any statements of witnesses, photographs, video recordings and any dispatch logs or calls concerning the June and July, 2016 exposure incidents.

I have enclosed a blank compact disc if you would prefer to provide us with the requested documents in electronic format. I have also enclosed a return envelope for your convenience.

I appreciate your anticipated courtesy and cooperation in this matter.

Please contact me if you have any questions. Thank you.

Sincerely,

Jason Carroll
Paralegal

/jsc
Enclosure

Z:\Work\Hill, Jared\Correspondence\EPA req ltr022818.docx

U. S. Department of Labor

Occupational Safety and Health Administration
1387 S. Vinnell Way, Suite 218
Boise, Idaho 83709
Telephone: (208) 321-2960
Fax: (208) 321-2966



July 18, 2016

(b) (6)

(b)

In response to your formal complaint concerning safety and health hazards at Idaho Waste Systems, Inc. in Mayfield, ID, the Occupational Safety and Health Administration conducted an inspection on 6/28/2016. The results of our investigation into the complaint items are as follows:

1. Employees are exposed to Asbestos without the use of respirators and PPE.
 - a. Findings: Respirators are onsite and are required for employees to wear when burying asbestos. However, the wrong type of filter was in use. Employees have not been trained on the hazards of asbestos and the asbestos exposure levels have not been measured. Personal air sampling was performed while asbestos was being buried. Asbestos was not detected on the sample. Citation Recommended.
2. Employees are exposed to chemicals without the use of respirators and PPE.
 - a. Findings: No chemical shipments were received on the two days that the inspection occurred. No employee interaction with chemicals was observed. No personal airborne sampling could be conducted. It was recommended to the employer to have a second party evaluate chemical exposures in the workplace and determine the controls that need to be put in place. No Citation Recommended.
3. Employees are exposed to Bloodborne Pathogens without the use of PPE.
 - a. Findings: Employees do have the potential to come in contact with Bloodborne Pathogens. There is not an exposure control program or training being performed. Citation Recommended.

If you do not agree with our inspection results, you may contact me for a clarification of the matter. You also have the right to an informal review by the OSHA Regional Administrator who may be contacted at the following location:

Galen Blanton
Acting Regional Administrator
Occupational Safety and Health Administration
U. S. Department of Labor
300 Fifth Ave., Suite 1280
Seattle, WA 98104
(206) 757-6700

(b) 000001

This review may be obtained by submitting a written statement of your position to the Regional Administrator. The Regional Administrator will provide the employer with a copy of such statement by certified mail. Your identity will be withheld unless you explicitly request that it be revealed.

Section 11(c) of the OSH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activity. If you believe you are being treated differently or action is being taken against you because of your safety or health activity, you may file a complaint with OSHA. You should file this complaint as soon as possible, since OSHA normally can accept only those complaints filed within 30 days of the alleged discriminatory action.

Thank you for your concern for a safe and healthful workplace.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew Martinson", with a stylized flourish at the end.

Andrew Martinson, CSP
For Dave Kearns
Area Director
Boise Area Office